

**UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

NEWARK PORTFOLIO JV, LLC,

Petitioner/Cross-Respondent,

v.

NATIONAL LABOR RELATIONS
BOARD,

Respondent/Cross-Petitioner.

Case Nos. 15-2565 and 15-2877

NLRB Case No. 22-CA-100534

ANSWER

Newark Portfolio JV, LLC answers the National Labor Relations Board's cross-application for enforcement of the Board's June 5, 2015 order in NLRB Case No. 22-CA-100534 (reported at 362 NLRB No. 108) as follows:

1. Newark Portfolio admits that, on Thursday, June 25, 2015, it filed a petition for review of the aforementioned order, which makes final the Board's underlying decision in the representation case bearing NLRB Case No. 22-RC-081108, with this Court.

2. Newark Portfolio denies that the Board is entitled to enforcement of the June 5, 2015 order.

3. Newark Portfolio admits that this Court has jurisdiction over the Board's cross-application.

4. Newark Portfolio admits that this Court is the proper venue for the NLRB's cross-application.

5. Newark Portfolio denies that it has committed any unfair labor practice in Irvington or Newark, New Jersey, or anywhere else for that matter.

WHEREFORE, Newark Portfolio respectfully requests that this Court deny the Board's cross-application and grant Newark Portfolio all further and other relief as is just and proper, including setting aside the June 5, 2015 order and the Board's certification of the Laborers International Union of North America Local 55 as the exclusive representative of the unit employees at issue.

DATED: August 14, 2015

Respectfully submitted,

/s/ John C. Romeo

John C. Romeo

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CERTIFICATE OF SERVICE

I certify that, on Friday, August 14, 2015, I e-filed Newark Portfolio JV, LLC's answer to the National Labor Relations Board's cross-application for enforcement of the June 5, 2015 order in NLRB Case No. 22-CA-100534. I further certify that I caused a copy of this document to be served on the same day by e-mail upon the following:

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DATED: August 14, 2015

/s/ James J. La Rocca

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